

# Notice of Allowability

Application No.

10/016,483

Examiner

ALEX NOGUEROLA

Applicant(s)

SOANE ET AL.

Art Unit

1753

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/04/2005.
2. ☒ The allowed claim(s) is/are 31-37.
3. ☒ The drawings filed on 10 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. The application has been amended as follows:

a) on page 1 of the specification lines 4-10 have been replaced with --

This application is a continuation of U.S. Patent Application Serial No. 09/479,503, filed January 07, 2000, now U.S. Patent No. 6,413,400, which is a continuation of U.S. Patent Application Serial No. 08/974,372, filed November 19, 1997, now U.S. Patent No. 6,093,296, which is a continuation of U.S. Patent Application Serial No. 08/615,642, filed March 13, 1996, now U.S. Patent No. 5,750,015, which is a continuation-in-part of U.S. Patent Application Serial No. 08/430,134, filed April 26, 1995, now abandoned, which is a continuation of U.S. Patent Application Serial No. 08/196,763, filed February 14, 1994, now abandoned, which is a continuation of U.S. Patent Application Serial No. 07/880,187, filed May 7, 1992, now abandoned, which is a continuation of U.S. Patent Application Serial No. 07/487,021, filed February 28, 1990, now U.S. Patent No. 5,126,022. --

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b) Page 2 of the specification, line 1 has been replaced with – BACKGROUND OF THE INVENTION --;

c) Page 3 of the specification, lines 1 and 2 have been replaced with

– Traditional electrophoretic media are large in dimension, being on the order of mm. A recent development in the field of electrophoretic technology is high --;

d) Page 4 of the specification, lines 1 and 2 have been replaced with

--charged molecules in order to move the charged molecules in a precise and controlled fashion. The movement of the electrical fields can be accurately --;

e) Page 5 of the specification, lines 1 and 2 have been replaced with

-- fashion in response to a plurality of different electrical fields, which fields are preferably generating forces which vary in time and space simultaneously. --;

f) Page 6 of the specification, lines 1 and 2 have been replaced with

-- DETAILED DESCRIPTION OF THE INVENTION

Before the present device and method for moving charged particles within a --;

g) Page 7 of the specification, lines 1 and 2 have been replaced with  
-- used in connection with analytical separation techniques. For example,  
polyacrylamide gel used in PAGE analytical procedures is extremely useful in --;

h) Page 8 of the specification, lines 1 and 2 have been replaced with  
--fashion, thus obtaining analytical resolution of different types of molecules to a  
degree far beyond that of conventional techniques. --;

i) Page 9 of the specification, lines 1 and 2 have been replaced with  
-- The Card 1 having the Trench 2 and electrode connections 4-10 thereon can  
be produced by a variety of different techniques known to those skilled in the art. --  
;

j) Page 10 of the specification, lines 1 and 2 have been replaced with  
-- The greater the number of electrodes, the less voltage which needs to be  
supplied to each electrode and the more accurately it is possible to control the  
motion of the --;

k) Page 11 of the specification, lines 1 and 2 have been replaced with  
-- the medium at different rates based on factors such as size, shape and charge  
of the particles being moved through the medium. --;

l) Page 12 of the specification, lines 1 and 2 have been replaced with  
-- provided so as to obtain the best possible resolution with respect to separating  
various types of charged particles from one another. --;

m) Page 13 of the specification, lines 1 and 2 have been replaced with  
-- filtration and many of the tedious operations which are mechanical in nature  
and necessary in connection with conventional sequencing methodologies. --;

n) Page 14 of the specification, lines 1 and 2 have been replaced with  
-- and 42, respectively, the middle branch entry and exit ports 44 and 46,  
respectively, and the lower branch, 48 and 50, respectively. The ports 36 and  
38 --; and

o) Page 15 of the specification, lines 1 and 2 have been replaced with  
-- for moving sample and reactants in various directions by appropriately biasing  
individual electrodes, with different pairs of electrodes being used. For  
example, --.

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***Allowable Subject Matter***

2. Claims 31-37 are allowed.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEX NOGUEROLA whose telephone number is (571) 272-1343. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NAM NGUYEN can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alex Nogueraola  
Primary Examiner  
AU 1753  
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